Single Bench

P.R. No. 4758/06
Presented by Shri S.S. Sharma
dated 29/8/06

(2) (4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION No(S) 4716/2006

PETITIONER : Arvind Kumar Gupta S/o Shri Karamdev Prasad Gupta aged about 41 years, working as Cluster Educational coordinator, Cluster Centre, Belkota, Block- Batauli, Distt. Koria (C.G.) R/o Village Barpara, Block Batauli Dist. Surguja, (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: The Secretary, Department of Tribal Welfare, Mantralaya D.K.S. Bhawan, Raipur (C.G.).
2. Assit. Commissioner, Department of Tribal Welfare, Ambikpur, Distt. Surguja (C.G.)
3. District Collector, Ambikapur, District- Surguja (C.G.).

RECEIVED-COPY
29/08/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI ETC. OR DIRECTION / ORDER OF LIKE NATURE ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P..4716/. **सन् 2006**

(37)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

1-9-2006

Mr. Rakesh Jha, counsel for the petitioner.

Mr. Vinay Pandey, Panel Lawyer for the State/respondents, on advance copy.

Heard both the counsel.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his transfer order dated 7-7-2006 (Annexure P-1) passed by respondent No.1, whereby he has been transferred to two places.

The case of the petitioner is that he is working as Cluster Educational Coordinator at the Cluster Centre, Belkota, Block: Batauli, District: Surguja. He has been transferred vide the impugned order dated 7-7-2006 to two places namely, Primary School, Amapara, Block: Lakhanpur, District: Surguja and also Primary School, Lakhapuri, District: Dantewada. Further case of the petitioner is that at the present place the petitioner is working since last two years only and he is a low paid employee, therefore, in such a short span of time, he ought not to have been transferred.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.2 raising all his grievances and in turn, respondent No.2 be directed to decide the same to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances annexing a copy of the writ petition and its annexures to respondent No.2 within ten days from today and

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.4716/ **सन् 2006**

(38)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	respondent No.2 is directed to decide the representation within one month from the date of its receipt after considering the points raised by the petitioner, in an objective manner, in accordance with law. In the mean time, till the representation of the petitioner is decided, the effect and operation of the order impugned dated 7-7-2006 (Annexure P-1), in respect of the petitioner, is stayed. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3644/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.Bhadoo Judge	

P.T.O.